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U.S. DISTRICT COURT  
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DISTRICT OF UTAH  
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**UNITED STATES DISTRICT COURT**

**DISTRICT OF UTAH**

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WALTER L. WAGNER, ) Case: 2:11cv00784  
 )  
 Plaintiff ) **REQUEST TO SUBMIT**  
 )  
 vs. )  
 )  
 PRESTON MICHIE, KENNETH )  
 FRANCIK, LESLIE COBOS, MARK )  
 ROBINSON, ANNETTE EMERSON )  
 STEVE BRYANT, WORLD BOTANICAL )  
 GARDENS, INC. (WBGI), ) **Clark Waddoups, Judge**  
 )  
 Defendants ) **Paul Warner, Magistrate**  
 )

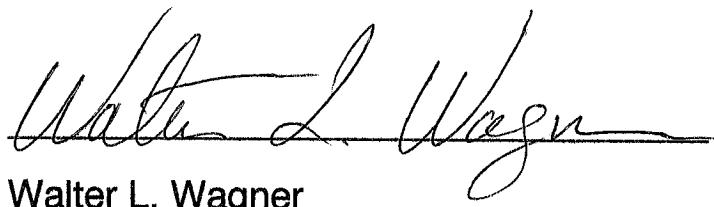
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REQUEST TO SUBMIT

Plaintiff Walter L. Wagner respectfully requests, pursuant to Federal Rules of Civil Procedure 7(d), that plaintiff's motion for appointment of Cal Andrus as WBGI's Receiver be decided by this Court.

Defendant WBGI submitted on July 9 its opposition to plaintiff's motion to appoint Mr. Andrus as WBGI's Receiver, and plaintiff submitted his reply thereto on July 12, 2012.

DATED: July 12, 2012

A handwritten signature in black ink, appearing to read "Walter L. Wagner". The signature is fluid and cursive, with a horizontal line underneath it.

Walter L. Wagner